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**UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF NEVADA**

In re:  
 USA COMMERCIAL MORTGAGE COMPANY,  
 Debtor.

Case No. BK-S-06-10725 LBR  
 Case No. BK-S-06-10726 LBR  
 Case No. BK-S-06-10727 LBR

In re:  
 USA CAPITAL REALTY ADVISORS, LLC,  
 Debtor.

Case No. BK-S-06-10728 LBR  
 Case No. BK-S-06-10729 LBR

In re:  
 USA CAPITAL DIVERSIFIED TRUST DEED  
 FUND, LLC,  
 Debtor.

Chapter 11

**Jointly Administered Under  
 Case No. BK-S-06-10725 LBR**

In re:  
 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
 Debtor.

In re:  
 USA SECURITIES, LLC,  
 Debtor.

**STATUS AND AGENDA FOR  
 OCTOBER 30, 2006 HEARINGS**

Affects:

- ☒ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Date: October 30, 2006  
 Time: 10:30 a.m.

1           1.       **Omnibus Objection of The Official Committee of Equity Security Holders of**  
 2 **USA Capital First Trust Deed Fund, LLC To Claims Based on Prepetition Equity Security**  
 3 **Interests of USA Capital First Trust Deed Fund, LLC (Affects Debtor USA Capital First**  
 4 **Trust Deed Fund, LLC And Claimants Concetta Carnicelli, Joseph Grgurich; Frieda Moon,**  
 5 **Louie and Charlotte Polanco, Rocco J. Rocco, Margaret Valli, Sharon C. Van Ert, and**  
 6 **Heinrich Richard and Brigitte S. Weber)** (Docket No. 1066). An Order Sustaining Omnibus  
 7 Objection was entered on September 14, 2006 (Docket No. 1279).

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 9           2.       **Objection of The Official Committee of Equity Security Holders of USA**  
 10 **Capital First Trust Deed Fund, LLC To Proof of Claim Filed by Prospect High Income**  
 11 **Fund, ML CBOIV (Cayman) Ltd, PAMCO Cayman, Ltd., Pam Capital Funding, L.P.,**  
 12 **Highland Crusader Fund, Ltd., And PCMG Trading Partners XXIII, L.P.** (Docket No.  
 13 1068). A Notice of Withdrawal of Proof of Claim was filed by Prospect High Income Fund, ML  
 14 CBOIV (Cayman) Ltd., PAMCO Cayman, Ltd., PAM Capital Funding, L.P., Highland Crusader  
 15 Fund, Ltd. and PCMG Trading Partners XXII, L.P. on October 5, 2006 (Docket No. 85, 06-10728  
 16 LBR).

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 18           3.       **Motion to Authorize Debtor USA Commercial Mortgage Company As Loan**  
 19 **Servicer To Approve Loan Modification For Palm Harbor One Loan, To Provide The**  
 20 **Previously Authorized Subordination Of The Marlton Square 2<sup>nd</sup> Loan In Connection With**  
 21 **The Payoff of the Marlton Square 1<sup>st</sup> Loan, To Authorize a Short-Term Forbearances For**  
 22 **The Marlton Square 1<sup>st</sup> Loan, and To Generally Authorize Short-Term Loan Forbearances**  
 23 **And Full Releases And Reconveyances For Loans Paid Off In Full** (the “Loan Modification  
 24 Motion,” Docket No. 1434). The Debtor requests that the Court authorize the Debtor to: (a) enter  
 25 into the Loan Modification for the Palm Harbor One Loan; (b) enter into the Subordination for the  
 26 Marlton Square 2<sup>nd</sup> Loan if the conditions outlined in the Marlton Square 2<sup>nd</sup> Loan Agreement for  
 27 providing the Subordination are satisfied; (c) grant the short-term forbearance for the Marlton  
 28 Square 1<sup>st</sup> Loan; (d) provide a full reconveyance and release of the Marlton Square 1<sup>st</sup> Loan upon

its payment in full by a refinancing loan; (e) grant short-term forbearances on Loans being serviced by the Debtors without the need for further Court approval; (f) provide a full reconveyance and release of the collateral for a Loan serviced by the Debtor when the Loan is repaid in full, whether through a sale of collateral or through a refinance; and (g) execute all documents and take all other necessary steps required to implement any of the foregoing actions. The Debtor also requests that the automatic 10 day stay under Fed.R.Bankr.P. 6004(g) not apply to any Order granting this Motion, and that such Order be effective immediately upon entry of such Order.

<b><u>Opposition Filed By:</u></b>	<b><u>Date</u></b>	<b><u>Docket No.</u></b>
Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (Limited Objection)	October 23, 2006	1629
The MacDonald Center for Arts and Humanities (Conditional Objection)	October 23, 2006	1632
Official Committee of Unsecured Creditors (Response)	October 24, 2006	1649
Committee of Holders of Executory Contract Rights Through USA Commercial Mortgage Company	October 24, 2006	1653
Canepa Group (Joinder in Opposition)	October 24, 2006	1658
<b><u>Reply Filed By:</u></b>	<b><u>Date</u></b>	<b><u>Docket No.</u></b>
Debtors	October 27, 2006	1692

4. **Motion For Order Approving Continued Use of Cash Through January 31, 2007 Pursuant To Fourth Revised Budget** (Docket No. 1451). The Debtors request that the Court approve the continuing use of cash in the Debtors' estates through the week ending January 31, 2007, to the extent and for the purposes set forth in the Fourth Revised Budget filed by the Debtors on October 20, 2007 (Docket No. 1620).

<b><u>Opposition Filed By:</u></b>	<b><u>Date</u></b>	<b><u>Docket No.</u></b>
Official Committee of Equity Security Holders of USA Capital First Trust	October 23, 2006	1637

1	Deed Fund, LLC		
2	(Limited Objection)		
3	<b><u>Reply Filed By:</u></b>	<b><u>Date</u></b>	<b><u>Docket No.</u></b>
4	Debtors	October 27, 2006	1697

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6           5.       **Motion to Exclude Debtors From Having To File Inter-Company Claims**

7 **Against Each Other By The Bar Date, Or Alternatively For The Approval of the Immediate**

8 **Appointment of Special Counsel To File And Pursue The Inter-Company Debtor Claim** (the

9 “Inter-Company Claims Motion”, Docket No. 1454/1469). The Inter-Company Claims Motion

10 requests that the Court exclude the Debtors from having to file inter-company claims against each

11 other by the Bar Date (or that the Bar Date be extended without date for the filing of these claims),

12 subject to the Debtors reporting to the Court at the October 19, 2006 hearing that all of the

13 intercompany claims have been fully resolved in a Plan with the full agreement of the Committees,

14 or, alternatively, if all intercompany claims are not fully resolved by October 19, 2006 with the

15 full agreement of the Committees, that the Court approve the immediate appointment of special

16 counsel for the USACM, FTD Fund and the Diversified Fund to file the inter-company claims at

17 the hearing set on this motion on October 30, 2006.

18	<b><u>Opposition Filed By:</u></b>	<b><u>Date</u></b>	<b><u>Docket No.</u></b>
19	Official Committee of Equity Security	October 20, 2006	1622
20	Holders of USA Capital First Trust		
21	Deed Fund, LLC		
22	Committee of Holders of Executory		
23	Contract Rights Through USA		
24	Commercial Mortgage Company		
25	Official Committee of Unsecured		
26	Creditors		
27	Official Committee of Equity Security		
28	Holders of USA Capital Diversified		
	Trust Deed Fund, LLC		
	(Joint Response)		

<b><u>Reply Filed By:</u></b>	<b><u>Date</u></b>	<b><u>Docket No.</u></b>
Debtors	October 26, 2006	1682

6. **The United States Trustee's Motion to Convert Cases To Proceedings Under Chapter 7** (the "Motion," Docket No. 1661). The Motion requests an order of the Court converting the five jointly administered Chapter 11 cases to proceedings under Chapter 7 of the Bankruptcy Code.

<b><u>Joinder Filed By:</u></b>	<b><u>Date</u></b>	<b><u>Docket No.</u></b>
Richard and Sheila J. McKnight 2000 Family Trust and Richard McKnight SEP-IRA (Joinder in Motion)	October 26, 2006	1675
<b><u>Opposition Filed By:</u></b>	<b><u>Date</u></b>	<b><u>Docket No.</u></b>
Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC	October 27, 2006	1683
Official Committee of Unsecured Creditors (Response)	October 27, 2006	1686
Committee of Holders of Executory Contract Rights Through USA Commercial Mortgage Company (Joinder in Opposition)	October 27, 2006	1689
Official Committee of Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC	October 27, 2006	1693
Debtors	October 27, 2006	

DATED: October 27, 2006

/s/ Jeanette E. McPherson

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